



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

CCB/157230

PRELIMINARY RECITALS

Pursuant to a petition filed April 29, 2014, under Wis. Admin. Code §HA 3.03(4), to review a decision by the Milwaukee Early Care Administration - MECA in regard to Child Care, a hearing was held on June 03, 2014, at Milwaukee, Wisconsin.

NOTE: The record was held open to give the agency an opportunity to submit proof that it paid Petitioner's child care provider. On June 3, 2014, the agency e-mailed a packet that included Ops Memo 10-38, a case history, a case utilization history and a rate calculation detail print out. The packet has been marked as Exhibit 7 and entered into the record.

The issue for determination is whether DCF failed to pay the Petitioner's child care provider for services rendered during the weeks of January 5, 2014 and January 12, 2014.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

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Respondent:

Department of Children and Families
201 East Washington Avenue
Madison, Wisconsin 53703

By: Theresa Miles, Child Care Subsidy Specialist
Milwaukee Early Care Administration - MECA
Department of Children And Families
1220 W. Vliet St. 2nd Floor, 200 East
Milwaukee, WI 53205

ADMINISTRATIVE LAW JUDGE:

Mayumi M. Ishii
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Milwaukee County.
2. The YMCA billed the Petitioner for child care provided during the weeks of January 5, 2014 and January 12, 2014, at a rate of \$41.22 per week, per child, for a total of \$82.44 for both of Petitioner's children. (Exhibit 4)
3. During the week of January 5, Petitioner's children each attended daycare for about six hours and during the week of January 13, the children attended daycare for about three hours. (Exhibit 2; Exhibit 6, pgs. 13-14)
4. The Department of Children and Families paid \$28.45 each week, for Petitioner's son, for 5 hours of child care on an enrollment basis and it paid \$35.10 each week, for Petitioner's daughter, for 6 hours of child care, on an enrollment basis. This works out to be a total payment of \$127.10. (Exhibit 7, pg. 7)
5. The Petitioner filed a request for fair hearing that was received by the Division of Hearings and Appeals on April 28, 2014. (Exhibit 1)

DISCUSSION

The Petitioner filed an appeal because the YMCA has continued to bill her for childcare and alleges that the Department of Children and Families should have paid the provider. However, the Department of Children and Families provided documentation showing that it did, in fact, pay the YMCA for child care that it provided for the Petitioner's children and that the amount paid is greater than what is being billed to the Petitioner. See Exhibits 4 and 7.

It may be that there is some other billing discrepancy, but there is no way to tell from the billing statement that has been marked as Exhibit 4.

CONCLUSIONS OF LAW

The Department of Children and Families paid the YMCA for services rendered.

THEREFORE, it is

ORDERED

That the petition is dismissed.

REQUEST FOR A REHEARING

This is a final administrative decision. If you think this decision is based on a serious mistake in the facts or the law, you may request a rehearing. You may also ask for a rehearing if you have found new evidence which would change the decision. Your request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and tell why you did not have it at your first hearing. If you do not explain these things, your request will have to be denied.

To ask for a rehearing, send a written request to the Division of Hearings and Appeals, P.O. Box 7875, Madison, WI 53707-7875. Send a copy of your request to the other people named in this decision as "PARTIES IN INTEREST." Your request for a rehearing must be received no later than 20 days after the date of the decision. Late requests cannot be granted.

The process for asking for a rehearing is in Wis. Stat. § 227.49. A copy of the statutes can be found at your local library or courthouse.

APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be served and filed with the appropriate court no more than 30 days after the date of this hearing decision (or 30 days after a denial of rehearing, if you ask for one).

For purposes of appeal to circuit court, the Respondent in this matter is the Department of Children and Families. After filing the appeal with the appropriate court, it must be served on the Secretary of that Department, either personally or by certified mail. The address of the Department is: 201 East Washington Avenue, Madison, Wisconsin 53703. A copy should also be sent to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400.

The appeal must also be served on the other "PARTIES IN INTEREST" named in this decision. The process for appeals to the Circuit Court is in Wis. Stat. §§ 227.52 and 227.53.

Given under my hand at the City of Milwaukee,
Wisconsin, this 5th day of August, 2014.

\sMayumi M. Ishii
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on August 5, 2014.

Milwaukee Early Care Administration - MECA
Child Care Benefits